

**Initial Study/Negative Declaration for the  
Amendments to Bay Area Air Quality  
Management District Regulation 8, Rule 5  
(Storage of Organic Compounds)**

*Prepared for:*

Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, CA 94109  
Contact: Julian Elliot  
415/749-4705

*Prepared by:*

Jones & Stokes  
2600 V Street  
Sacramento, CA 95818  
Contact: Lynn Finley  
916/737-3000

October 2002

Jones & Stokes. 2002. *Initial study/negative declaration for the amendments to BAAQMD Regulation 8, Rule 5 (storage of organic compounds)*. October. (J&S 02-259.) Sacramento, CA. Prepared for Bay Area Air Quality Management District, San Francisco, CA.

# Contents

<b>Chapter 1</b>	<b>Introduction .....</b>	<b>1-1</b>
	Purpose of This Document .....	1-1
	Scope of This Document .....	1-1
	Impact Terminology .....	1-2
	Organization of This Document .....	1-2
<b>Chapter 2</b>	<b>Description of Proposed Amendments.....</b>	<b>2-1</b>
	Background .....	2-1
	Proposed Amendments .....	2-2
	Affected Area .....	2-2
<b>Chapter 3</b>	<b>Environmental Checklist.....</b>	<b>3-1</b>
	Aesthetics.....	3-3
	Setting .....	3-3
	Discussion of Impacts.....	3-3
	Agricultural Resources. ....	3-4
	Setting .....	3-4
	Discussion of Impacts.....	3-4
	Air Quality.....	3-6
	Setting .....	3-6
	Discussion of Impacts.....	3-8
	Biological Resources. ....	3-9
	Setting .....	3-9
	Discussion of Impacts.....	3-10
	Cultural Resources. ....	3-11
	Setting .....	3-11
	Discussion of Impacts.....	3-11
	Geology and Soils. ....	3-13
	Setting .....	3-13
	Discussion of Impacts.....	3-14
	Hazards and Hazardous Materials.....	3-15
	Setting .....	3-16
	Discussion of Impacts.....	3-18
	Hydrology and Water Quality. ....	3-20
	Setting .....	3-21
	Discussion of Impacts.....	3-21
	Land Use and Planning. ....	3-22
	Setting .....	3-22
	Discussion of Impacts.....	3-22

Mineral Resources. ....	3-23
Setting .....	3-23
Discussion of Impacts.....	3-23
Noise.....	3-24
Setting .....	3-24
Discussion of Impacts.....	3-25
Population and Housing. ....	3-26
Setting .....	3-26
Discussion of Impacts.....	3-26
Public Services.....	3-28
Setting .....	3-28
Discussion of Impacts.....	3-29
Recreation.....	3-30
Setting .....	3-30
Discussion of Impacts.....	3-30
Transportation/Traffic. ....	3-31
Setting .....	3-31
Discussion of Impacts.....	3-32
Utilities and Service Systems. ....	3-33
Setting .....	3-33
Discussion of Impacts.....	3-34
Mandatory Findings of Significance .....	3-35
Discussion of Impacts.....	3-35

<b>Chapter 4</b>	<b>References Cited .....</b>	<b>4-1</b>
------------------	-------------------------------	------------

## **Purpose of This Document**

This initial study/negative declaration (IS/ND) is a public document that assesses the environmental effects (impacts) of the proposed amendments to Bay Area Air Quality Management District (BAAQMD) Regulation 8, “Organic Compounds,” Rule 5, “Storage of Organic Compounds” (Rule 5), as required by the California Environmental Quality Act (CEQA) and in compliance with the State CEQA Guidelines (14 California Administrative Code 1400 et seq.). An IS/ND serves as an informational document to be used in the local planning and decision-making process; it does not recommend approval or denial of the project analyzed therein. BAAQMD, the lead agency under CEQA, must consider the environmental impacts of the proposed amendments when determining whether to approve the amendments. BAAQMD has prepared this IS/ND because no significant impacts would result from the proposed amendments.

## **Scope of This Document**

This document evaluates the proposed amendments’ impacts on the following resource areas:

- aesthetics,
- agricultural resources,
- air quality,
- biological resources,
- cultural resources,
- geology and soils,
- hazards and hazardous materials,
- hydrology and water quality,
- land use planning,
- mineral resources,

- noise,
- population and housing,
- public services,
- recreation,
- transportation/traffic, and
- utilities and service systems.

The impacts on these resource areas are evaluated using the IS checklist in chapter 3; each resource area is divided into several topics designated by letter. The level of significance of an impact on a resource topic is indicated through the use of the terms discussed below.

## Impact Terminology

The following terminology is used in this IS/ND to describe the levels of significance of impacts that would result from the proposed amendments.

- A conclusion of *no impact* is appropriate when the analysis concludes that there would be no impact on a particular resource topic.
- An impact is considered *less than significant* if the analysis concludes that an impact on a particular resource topic would not be significant (i.e., would not exceed certain criteria or guidelines established by BAAQMD).

## Organization of This Document

The content and format of this document, described below, are designed to meet the requirements of CEQA.

- Chapter 1, “Introduction,” identifies the purpose, scope, and terminology of the document.
- Chapter 2, “Description of the Proposed Amendments,” provides background information on Rule 5, describes the proposed amendments, and describes the area and facilities that would be affected by Rule 5 and the amendments.
- Chapter 3, “Environmental Checklist,” presents the checklist responses for each resource topic. This chapter includes a brief setting description for each resource area and identifies the proposed amendments’ impacts on the resources topics listed in the checklist.
- Chapter 4, “References Cited,” identifies all printed references and personal communications cited in this report.

## Chapter 2

# Description of Proposed Amendments

## Background

The original intent of Rule 5 was to reduce emissions of volatile organic compounds (VOCs), which are ozone precursors, from liquid storage tanks. Ozone, a criteria pollutant, is formed from a reaction of VOCs and oxides of nitrogen (NO<sub>x</sub>) in the presence of ultraviolet light (sunlight). Rule 5 seeks to reduce VOC emissions by establishing operating requirements and equipment standards for liquid storage tanks. Facilities to which Rule 5 applies include petroleum refineries, chemical plants, and bulk gasoline terminal distribution facilities. Some other industries that store significant amounts of organic liquids are also subject to the rule.

Rule 5 was originally adopted in 1978 and has been amended several times, most recently on December 15, 1999. The proposed amendments are intended to address several issues. First, some changes address U.S. Environmental Protection Agency (EPA) concerns that the existing rule (specifically, sections 8-5-111 and 8-5-112) does not conform to current EPA guidance. Second, there are changes to implement control measure SS-12 (SS-12) from BAAQMD's 2001 Ozone Attainment Plan (OAP) (Bay Area Air Quality Management District 2001a). Finally, there are various editorial improvements to the text of the rule.

The proposed amendments to sections 8-5-111 and 8-5-112 are based on changes recommended by EPA in the technical support document (TSD) dated July 9, 2001. The TSD was issued in conjunction with EPA's partial disapproval Regulation 8, Rule 5 on October 10, 2001 (66 Fed. Reg. 51568). The proposed amendments to implement SS-12 from the 2001 OAP are modeled on the South Coast Air Quality Management District's (SCAQMD's) Rule 463. The editorial changes to the text of the rule are intended to make the rule clearer and easier to use.

One of the steps involved in modifying an existing regulation is to conduct a CEQA analysis to determine whether a rule or amendment might have any unanticipated adverse environmental impacts; this IS/ND has been prepared for this purpose.

## Proposed Amendments

The proposed amendments to Rule 5 would reduce emissions of VOCs by clearly defining the conditions under which exemptions from abatement requirements may be applied; the previous language was considered vague and could allow inappropriate interpretation. To facilitate understanding and ease of use, new language and structure is proposed to clarify the specific applicability of the rule sections. SS-12, which would be implemented by the proposed amendments, calls for better tank seals or upgrades when seals are replaced, and enhanced inspection of seals and fittings.

In developing the draft rule, BAAQMD staff conducted a preliminary analysis of the proposed amendments and prepared a staff report describing the findings (Bay Area Air Quality Management District 2002). BAAQMD also held a public workshop to review and discuss the proposed amendments. The workshop was held on Thursday, June 27, 2002, in Martinez, California, and focused on changes to make the rule easier to read and understand, the revisions of the limited exemptions, and on the implementation of SS-12.

## Affected Area

Rule 5 applies within the areas under BAAQMD jurisdiction—all of Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Napa Counties and portions of southwestern Solano and southern Sonoma Counties (approximately 5,600 square miles). In terms of physiography, the San Francisco Bay Area is characterized by a large, shallow basin surrounded by coastal mountain ranges tapering into sheltered inland valleys. The combined climatic and topographic factors result in increased potential for the accumulation of air pollutants in the inland valleys and reduced potential for buildup of air pollutants along the coast. Most operations affected by Rule 5 take place within existing commercial and industrial buildings and facilities.

EPA has set primary national ambient air quality standards (NAAQS) for ozone and other air pollutants to define the levels considered safe for human health. The California Air Resources Board (CARB) has set a similar state ambient air quality standard (SAAQS) for ozone. The standards are 12 and 9 parts per hundred million (pphm), respectively, for a 1-hour averaging time. The BAAQMD is designated as an unclassified nonattainment area for the 1-hour NAAQS and as a nonattainment area for the 1-hour SAAQS. Under the requirements of both the federal and California Clean Air Acts (CAA and CCAA), areas that do not comply with the standard must prepare plans to reduce ozone (e.g., the 2001 OAP).



## Chapter 3

# Environmental Checklist

- 1. Project Title:** Amendments to Bay Area Air Quality Management District (BAAQMD) Regulation 8, “Organic Compounds,” Rule 5, “Storage of Organic Liquids”
- 2. Lead Agency Name and Address:** Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, CA 94109
- 3. Contact Person and Phone Number:** Julian Elliot, Senior Air Quality Engineer  
415/749-4705 or jelliot@baaqmd.gov
- 4. Project Location:** This rule applies to the area within the jurisdiction of BAAQMD, which encompasses all of Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Napa counties and portions of southwestern Solano and southern Sonoma counties
- 5. Project Sponsor’s Name and Address:** (same as above)
- 6. General Plan Designation:** N/A
- 7. Zoning:** N/A
- 8. Description of Project:** See “Background” and “Proposed Amendments” in chapter 2
- 9. Surrounding Land Uses and Setting:** See “Affected Area” in chapter 2
- 10. Other Public Agencies whose Approval Is Required:** None

**Environmental Factors Potentially Affected:**

The environmental factors checked below would potentially be affected by this project (i.e., the project would involve at least one impact that is a “Potentially Significant Impact”), as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agricultural Resources             | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources            | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services                 | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems       | <input type="checkbox"/> Mandatory Findings of Significance |   |

**Determination:**

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have an impact on the environment that is “potentially significant” or “potentially significant unless mitigated” but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards and (2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.

---

 Signature

---

 Date

---

 Printed Name

---

 For

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>I.</b>	<b>AESTHETICS.</b> Would the project:				
a.	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

The BAAQMD covers all of Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Napa Counties, and portions of southwestern Solano and southern Sonoma Counties. In terms of physiography, the Bay Area is characterized by a large, shallow basin surrounded by coastal mountain ranges tapering into sheltered inland valleys. Because the area is so vast (approximately 5,600 square miles), land uses vary greatly and include commercial, industrial, residential, and agricultural uses.

## Discussion of Impacts

- a–c. The operations affected by the proposed amendments are facilities located within industrial and commercial areas; the amendments are not expected to result in any new construction. These existing facilities would conform to the new rule using existing structures and control mechanisms. To comply, some structures may convert to different uses, but no external alterations would occur. Therefore, there would be no effect on the scenic resources or degradation of the visual character of the sites. Domed or fixed-roof tanks, which typically have a higher profile, are not required to comply with the amendments. Therefore, there is no impact.
- d. No additional sources of light would be required; existing facility lighting is expected to be sufficient. Therefore, there is no impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>II. AGRICULTURAL RESOURCES.</b> In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

As described under “Aesthetics,” land uses in the affected area vary greatly and include agricultural lands. Some of these agricultural lands are under Williamson Act contracts.

## Discussion of Impacts

- a–c. The proposed amendments would not require conversion of agricultural land to other uses. The proposed amendments would not conflict with existing agriculture-related zoning designations or Williamson Act contracts. Williamson Act lands within the BAAQMD would not be affected. No effects on agricultural resources are expected because the proposed amendments apply to existing operations and facilities located within industrial and commercial areas; the amendments are not expected to result in any new construction. These existing facilities would conform to the new rule using existing structures and control mechanisms. No new locations or facilities are expected; therefore, there is no potential for impacts on agricultural resources through conversion

or conflicts with existing zoning or lands under the Williamson Act.  
Therefore, there is no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>III.</b>	<b>AIR QUALITY.</b> When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a.	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

### Existing Conditions

The pollutants of greatest concern in the BAAQMD are various components of photochemical smog (ozone and other pollutants) and particulate matter less than or equal to 10 microns in diameter (PM<sub>10</sub>). Ozone, a criteria pollutant, is formed from a reaction of VOCs and NO<sub>x</sub> in the presence of ultraviolet light (sunlight). Ozone problems arise primarily from vehicle traffic associated with urban development. However, stationary source activities also contribute to the emission inventory. Land uses that are sensitive to air pollutants typically include residences, hospitals, schools, and motels/hotels. These land uses are considered sensitive because people often stay in these areas for extended periods.

The federal and state governments have established standards (NAAQS and SAAQS) for these and other criteria pollutants. For ozone, the BAAQMD is designated as an unclassified nonattainment area for the 1-hour NAAQS and as a nonattainment area for the SAAQS.

As stated, the primary purpose of Rule 5 is to limit the emissions of VOCs. Emissions controls on stationary tanks storing organic liquids significantly reduce organic emissions because of the large number of tanks in the Bay Area. There are over 5,200 permitted organic liquid tanks in the Bay Area. Generally, tanks are categorized by roof type and construction: fixed-roof, external floating-roof, or internal floating-roof tanks. Of the over 5,200 tanks in the Bay Area, 4,700 are fixed-roof tanks, 360 are external floating-roof tanks, and 200 are internal floating-roof tanks. Emissions from fixed-roof tanks are controlled in various ways, including vapor-recovery systems. Emissions from floating-roof tanks are controlled because tank roofs floating on a liquid surface do not allow a head space above the liquid, which would become saturated with organic vapors that would be expelled as the tank is emptied and refilled. Both types of tanks have fugitive emissions that are controlled by seals on openings on the roof and between the floating roof and tank shell.

## Regulatory Setting

At the federal level, the federal Clean Air Act Amendments of 1990 give EPA additional authority to require states to reduce emissions of ozone precursors and PM10 in nonattainment areas. The amendments set new attainment deadlines based on the severity of problems. At a state level, CARB has traditionally established SAAQS, maintained oversight authority in air quality planning, developed programs for reducing emissions from motor vehicles, developed air emission inventories, collected air quality and meteorological data, and approved SIPs. At a more local level, California's air districts (e.g., BAAQMD) are responsible for overseeing stationary source emissions, approving permits, maintaining emissions inventories, maintaining air quality stations, overseeing agricultural burning permits, and reviewing air quality-related sections of environmental documents required by CEQA.

BAAQMD regulates air contaminants from stationary sources. BAAQMD is governed by a 21-member Board of Directors composed of publicly elected officials apportioned according to the population of the represented counties. The board has the authority to develop and enforce regulations for the control of air pollution within its jurisdiction. BAAQMD is responsible for implementing emissions standards and other requirements of federal and state laws. (Bay Area Air Quality Management District 2001b.)

BAAQMD's most recent plan for the California ozone standard, the 2000 Clean Air Plan (CAP), was prepared by BAAQMD in cooperation with the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG). It was adopted by the Board of Directors on December 20, 2000. The CAP's main objective is to attain the SAAQS for ozone. It presents a comprehensive strategy to reduce emissions from stationary, area, and mobile sources, and includes a specific measure that encourages cities and counties to develop and implement local plans, policies, and programs to reduce automobile use and improve air quality. The CCAA requires regions to update their (state) air quality plans every 3 years.

The proposed amendments would implement SS-12 of the 2001 OAP, BAAQMD's most recent plan for the ozone NAAQS. The 2001 OAP was developed in response to EPA's partial disapproval of the 1999 OAP and its finding that the 2001 OAP would not result in attainment of the ozone NAAQS. In response to EPA's findings, BAAQMD, MTC, and ABAG prepared a revised 2001 OAP, which includes a strategy to meet applicable federal CAA planning requirements, addresses deficiencies in the 1999 OAP, and contains an approach to attain the 1-hour NAAQS for ozone in the Bay Area by 2006. Part of the strategy is to adopt control measures such as SS-12. Implementation of SS-12 calls for better seals or upgrades upon replacement and more frequent inspection of seals. The proposed amendments are based in part on the existing SCAQMD Rule 463, as amended March 11, 1994.

## Discussion of Impacts

- a-c. The objectives of the proposed amendments are to make the existing rule clearer and easier to use, incorporate changes recommended by EPA, and implement SS-12. The changes are being made in part to conform to the guidance provided by the EPA during its review of the SIP. The amendments would generally increase the level of protection by clarifying exemption status and implementing more frequent inspections. Reduced emissions, a net benefit, are expected to result. Because improved compliance and criteria emission reductions are expected, hazardous air pollutant emissions would also be reduced. The rule does not require reformulation or the use of any new sources of hazardous air pollutants. Therefore, there is no impact.
- d-e. The operations affected by the proposed amendments are facilities located within industrial areas. The amendments are not expected to result in any new emissions or odors. Therefore, there is no impact.



		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES.</b>	Would the project:				
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

The BAAQMD covers all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties, and portions of southwestern Solano and southern Sonoma Counties. The land uses and affected environment vary substantially throughout the area. Rule 5 applies to the storage of organic liquids at stationary sources within the BAAQMD. Most affected stationary

sources are located in areas zoned for industrial or commercial land use. Typically, these facilities are surrounded by other commercial and industrial facilities. Because this is a rule revision and affected sources have been previously identified, BAAQMD has an inspection and tracking program that monitors compliance at the affected facilities.

## Discussion of Impacts

- a–f. The operations affected by the proposed amendments are facilities located within industrial and commercial areas; the amendments are not expected to result in any new construction. These existing facilities would conform to the new rule using existing structures and control mechanisms. The amendments neither require nor are likely to result in activities that would affect wildlife species or sensitive biological communities. The proposed amendments would not cause conflicts with local policies or plans that relate to the protection of habitats or biological resources. Therefore, there is no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>V. CULTURAL RESOURCES.</b>	Would the project:				
a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

Cultural resources are defined as buildings, sites, structures, or objects that might have historical, architectural, archaeological, cultural, or scientific importance. State CEQA Guidelines Section 15064.5 defines a significant cultural (historical) resource as a “resource listed in or eligible for listing on the California Register of Historical Resources [CRHR]” (Public Resources Code Section 5024.1). Section 21098.1 states that a project would have a significant effect on the environment if it would cause a substantial adverse change in the significance of a historical resource; in practice, such a change would result from an action that would demolish or adversely alter the physical characteristics of the historical resource that convey its historical significance, and that qualify the resource for inclusion in the CRHR or in a local register or survey that meets the requirements of Public Resources Code Sections 5020.1(k) and 5024.1(g).

Most affected stationary sources are located in areas zoned for industrial or commercial land use. Typically, these facilities are surrounded by other commercial and industrial facilities. Because this is a rule revision and affected sources have been previously identified, BAAQMD has an inspection and tracking program that monitors compliance at the affected facilities.

## Discussion of Impacts

- a–d. The operations affected by the proposed amendments are facilities located within industrial and commercial areas; the amendments are not expected to result in any new construction. These existing facilities

would conform to the new rule using existing structures and control mechanisms. The amendments neither require nor are likely to result in activities that would affect historical, archeological, or paleontological resources. Therefore, there is no impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS.</b> Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Strong seismic groundshaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

The BAAQMD covers all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties, and portions of southwestern Solano and southern Sonoma Counties. The land uses and affected environment vary substantially throughout the area. Rule 5 applies to the storage of organic liquids at stationary sources within the BAAQMD. Emissions controls on

stationary tanks storing organic liquids significantly reduce organic emissions because of the large number of tanks in the Bay Area. There are over 5,200 permitted organic liquid tanks in the Bay Area: 4,700 fixed-roof, 360 are external floating-roof, and 200 internal floating-roof tanks. Most affected stationary sources are located in areas zoned for industrial or commercial land use. Typically, these facilities are surrounded by other commercial and industrial facilities. Because this is a rule revision and affected sources have been previously identified, BAAQMD has an inspection and tracking program that monitors compliance at the affected facilities.

## Discussion of Impacts

- a–e. The operations affected by the proposed amendments are facilities located within industrial and commercial areas; the amendments are not expected to result in any new construction. These existing facilities would conform to the new rule using existing structures and control mechanisms. The amendments neither require nor are likely to result in activities that would affect geology or soils. Therefore, there is no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>VII. HAZARDS AND HAZARDOUS MATERIALS.</b>					
	Would the project:				
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h.	Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

A hazardous material is defined by the California Department of Toxic Substances Control (DTSC) as a material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or the environment if released (26 California Code of Regulations [CCR] 25501). For the purposes of this analysis, hazardous materials include raw materials, and hazardous waste includes waste generated by facilities and businesses or waste material remaining onsite as a result of past activities. Regulations and policies considered relevant to the proposed amendments are summarized below.

## Federal Regulations

EPA is the principal federal regulatory agency responsible for the safe use and handling of hazardous materials. Two key federal regulations pertaining to hazardous wastes are described below. Other applicable federal regulations are contained primarily in 29, 40, and 49 Code of Federal Regulations.

### Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act enables EPA to administer a regulatory program that extends from the manufacture of hazardous materials to disposal, thus regulating the generation, transportation, treatment, storage, and disposal of hazardous waste at all facilities and sites in the nation.

### Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act, also known as Superfund, was passed to facilitate the cleanup of the nation's toxic waste sites. In 1986, Superfund was amended by the Superfund Amendment and Reauthorization Act Title III (community right-to-know laws). Title III states that past and present owners of land contaminated with hazardous substances can be held liable for the entire cost of the cleanup, even if the material was dumped illegally when the property was under different ownership.

## State Regulations

California regulations are equal to or more stringent than federal regulations. EPA has granted the state primary oversight responsibility to administer and enforce hazardous waste management programs. State regulations require planning and management to ensure that hazardous wastes are handled, stored,



and disposed of properly to reduce risks to human health and the environment. Several key laws pertaining to hazardous wastes are discussed below.

## **Hazardous Materials Release Response Plans and Inventory Act**

The Hazardous Materials Release Response Plans and Inventory Act, also known as the Business Plan Act, requires businesses that use hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs. Hazardous materials are defined as raw or unused materials that are part of a process or manufacturing step. Although hazardous materials are not considered hazardous waste, health concerns pertaining to the release of hazardous materials are similar to those relating to hazardous waste.

## **Hazardous Waste Control Act**

The Hazardous Waste Control Act created the state hazardous waste management program, which is similar to, but more stringent than, the federal Resource Conservation and Recovery Act program. The act is implemented by regulations contained in 26 CCR, which describes the following required aspects for the proper management of hazardous waste:

- identification and classification;
- generation and transportation;
- design and permitting of recycling, treatment, storage, and disposal facilities;
- treatment standards;
- operation of facilities and staff training; and
- closure of facilities and liability requirements.

These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act and 26 CCR, the generator of hazardous waste must complete a manifest that accompanies the waste from the generator to the transporter to the ultimate disposal location. Copies of the manifest must be filed with DTSC.

## **Emergency Services Act**

Under the Emergency Services Act, the state developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an important part of the plan, which is administered by the California Office of Emergency Services. The office coordinates the responses

of other agencies, including EPA, the California Highway Patrol, regional water quality control boards, air quality management districts, and county disaster response offices.

## Other Laws, Regulations, and Programs

Various other state regulations have been enacted that affect hazardous waste management, including the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65), which requires labeling of substances known or suspected by the state to cause cancer, and California Government Code Section 65962.5, which requires the Office of Permit Assistance to compile a list of possible contaminated sites in the state.

State and federal regulations also require that hazardous materials sites be identified and listed in public records. These lists include:

- Comprehensive Environmental Response, Compensation, and Liability Information System;
- National Priorities List for Uncontrolled Hazardous Waste Sites;
- Resource Conservation and Recovery Act;
- California Superfund List of Active Annual Workplan Sites; and
- lists of state-registered underground and leaking underground storage tanks.

## Discussion of Impacts

- a, b. Under the proposed amendments, workers could be exposed to confined space work conditions. More frequent inspections of internal floating-roof tanks could increase the number of confined space entries needed to comply with the rules. If an inspection of the exterior seal of the tank finds conditions that result in the need to examine the primary seal on the storage tank, a hazardous confined space entry would be required. It is unknown whether the increased frequency of inspections would increase detection of conditions requiring primary seal inspection. The increased frequency (from once to twice per year) is likely to provide earlier detection of potential failures, but this may not correspond to an overall increase in the number of potential failures. The confined space entry regulations and permitting and the existing procedures and training for inspections provide sufficient mitigation for this potential impact. Therefore, this impact is considered less than significant.
- c. The operations affected by the proposed amendments are facilities located within industrial and commercial areas; the amendments are not expected to result in any new construction. Some facilities may be within 0.25 mile of an existing or proposed school, but the proposed amendments generally increase the level of protections through the

clarification of exemption status and by implementing more frequent inspections. These changes are expected to reduce emissions, a net benefit. Therefore, there is no impact.

- d–f, h. The operations affected by the proposed amendments are facilities located within industrial and commercial areas; the amendments are not expected to result in any new construction. These existing facilities would conform to the new rule using existing structures and control mechanisms. Therefore, there is no impact.
- g. The proposed amendments are not anticipated to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, there is no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>VIII. HYDROLOGY AND WATER QUALITY.</b>					
	Would the project:				
a.	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g.	Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h.	Place within a 100-year flood hazard area structures that would impede or redirect floodflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i.	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
j.	Contribute to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

The BAAQMD covers all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties, and portions of southwestern Solano and southern Sonoma Counties. The land uses and affected environment vary substantially throughout the area. Rule 5 applies to the storage of organic liquids at stationary sources within the BAAQMD. Emissions controls on stationary tanks storing organic liquids significantly reduce organic emissions because of the large number of tanks in the Bay Area. There are over 5,200 permitted organic liquid tanks in the Bay Area: 4,700 fixed-roof, 360 external floating-roof, and 200 internal floating-roof tanks. Most affected stationary sources are located in areas zoned for industrial or commercial land use. Typically, these facilities are surrounded by other commercial and industrial facilities. Because this is a rule revision and affected sources have been previously identified, BAAQMD has an inspection and tracking program that monitors compliance at the affected facilities.

## Discussion of Impacts

- a. The facilities affected by the proposed amendments have existing programs that monitor compliance with water quality. None of the changes to Rule 5 would affect these programs. Therefore, there is no impact.
- b.–h. The operations affected by the proposed amendments are facilities located within industrial and commercial areas; the amendments are not expected to result in any new construction. These existing facilities would conform to the new rule using existing structures and control mechanisms. Therefore, there is no impact.
- i, j. The amendments neither require nor are likely to result in activities that would affect flooding or inundation. Therefore, there is no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>IX.</b>	<b>LAND USE AND PLANNING.</b> Would the project:				
a.	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

The BAAQMD covers all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties, and portions of southwestern Solano and southern Sonoma Counties. The land uses and affected environment vary substantially throughout the area. Rule 5 applies to the storage of organic liquids at stationary sources within the BAAQMD. Emissions controls on stationary tanks storing organic liquids significantly reduce organic emissions because of the large number of tanks in the Bay Area. There are over 5,200 permitted organic liquid tanks in the Bay Area: 4,700 fixed-roof, 360 external floating-roof, and 200 internal floating-roof tanks. Most affected stationary sources are located in areas zoned for industrial or commercial land use. Typically, these facilities are surrounded by other commercial and industrial facilities. Because this is a rule revision and affected sources have been previously identified, BAAQMD has an inspection and tracking program that monitors compliance at the affected facilities.

## Discussion of Impacts

- a–c. No effects on land use or conflicts with existing land use plans, policies, or regulations are anticipated because the operations affected by the proposed amendments are facilities located within industrial and commercial areas and because the amendments are not expected to result in any new construction. These existing facilities would conform to the new rule using existing structures and control mechanisms. Therefore, there is no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>X.</b>	<b>MINERAL RESOURCES.</b> Would the project:				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

The BAAQMD covers all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties, and portions of southwestern Solano and southern Sonoma Counties. The land uses and affected environment vary substantially throughout the area. Rule 5 applies to the storage of organic liquids at stationary sources within the BAAQMD. Emissions controls on stationary tanks storing organic liquids significantly reduce organic emissions because of the large number of tanks in the Bay Area. There are over 5,200 permitted organic liquid tanks in the Bay Area: 4,700 fixed-roof, 360 external floating-roof, and 200 internal floating-roof tanks. Most affected stationary sources are located in areas zoned for industrial or commercial land use. Typically, these facilities are surrounded by other commercial and industrial facilities. Because this is a rule revision and affected sources have been previously identified, BAAQMD has an inspection and tracking program that monitors compliance at the affected facilities.

## Discussion of Impacts

- a, b. The proposed amendments are not associated with any action that would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, or of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. The operations affected by the proposed amendments are facilities located within industrial and commercial areas; the amendments are not expected to result in any new construction outside of the existing facilities. These existing facilities would conform to the new rule using existing structures and control mechanisms. Therefore, there is no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>XI.</b>	<b>NOISE.</b> Would the project:				
a.	Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Expose persons to or generate excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

There are over 5,200 permitted organic liquid tanks in the Bay Area: 4,700 fixed-roof, 360 external floating-roof, and 200 internal floating-roof tanks. The facilities are primarily located in areas zoned for commercial or industrial uses, and are not commonly adjacent to noise-sensitive land uses, which are generally defined as locations where people reside or locations where the presence of unwanted sound could adversely affect the use of the land. Noise-sensitive land uses typically include residences, hospitals, schools, libraries, and certain types of recreational uses. Noise levels associated with the facilities that store organic liquids are not considered significant.



## Discussion of Impacts

- a–f. No effects related to noise is anticipated because the operations affected by the proposed amendments are facilities located within industrial and commercial areas and because the amendments are not expected to result in any new construction. These existing facilities would conform to the new rule using existing structures and control mechanisms. Therefore, there is no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>XII. POPULATION AND HOUSING.</b>	Would the project:				
a.	Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

The BAAQMD covers all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties, and portions of southwestern Solano and southern Sonoma Counties. The land uses and affected environment vary substantially throughout the area. Rule 5 applies to the storage of organic liquids at stationary sources within the BAAQMD. Emissions controls on stationary tanks storing organic liquids significantly reduce organic emissions because of the large number of tanks in the Bay Area. There are over 5,200 permitted organic liquid tanks in the Bay Area: 4,700 fixed-roof, 360 external floating-roof, and 200 internal floating-roof tanks. Most affected stationary sources are located in areas zoned for industrial or commercial land use. Typically, these facilities are surrounded by other commercial and industrial facilities. Because this is a rule revision and affected sources have been previously identified, BAAQMD has an inspection and tracking program that monitors compliance at the affected facilities.

## Discussion of Impacts

- a–c. No effects on population or housing are anticipated because the operations affected by the proposed amendments are facilities located within industrial and commercial areas. The proposed amendments are not expected to result in the construction of new facilities or the displacement of housing or people. Conforming to the new regulations may, in some cases, result in very minor modifications at existing industrial and commercial facilities. These modifications would not induce substantial growth or displace housing or people. These existing

facilities would conform to the new rule using existing structures and control mechanisms. The proposed amendments will not induce population growth or related housing development. Therefore, there is no impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>XIII. PUBLIC SERVICES.</b> Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

The BAAQMD covers all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties, and portions of southwestern Solano and southern Sonoma Counties. The land uses and affected environment vary substantially throughout the area. Rule 5 applies to the storage of organic liquids at stationary sources within the BAAQMD. Emissions controls on stationary tanks storing organic liquids significantly reduce organic emissions because of the large number of tanks in the Bay Area. There are over 5,200 permitted organic liquid tanks in the Bay Area: 4,700 fixed-roof, 360 external floating-roof, and 200 internal floating-roof tanks. Most affected stationary sources are located in areas zoned for industrial or commercial land use. Typically, these facilities are surrounded by other commercial and industrial facilities.

Given the large area covered by the BAAQMD, public services are provided by a wide range of entities. Fire protection and police protection/law enforcement services within the BAAQMD are provided by various districts, organizations, and agencies. There are several school districts, private schools, and park departments within the BAAQMD. Public facilities within the BAAQMD are managed by different county, city, and special-use districts.

## Discussion of Impacts

- a. No effects on public services are anticipated because the operations affected by the proposed amendments are facilities located within industrial and commercial areas and because the amendments are not expected to result in any new construction. These existing facilities would conform to the new rule using existing structures and control mechanisms. No new or additional public services such as fire, police, schools, parks or other public facilities would be required as a consequence of the amendments. Therefore, there is no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>XIV. RECREATION.</b> Would the project:					
a.	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

Given the large area covered by the BAAQMD, there are many recreation areas and districts within the affected area.

## Discussion of Impacts

- a, b. No effects on recreation are anticipated because the operations affected by the proposed amendments are facilities located within industrial and commercial areas and because the amendments are not expected to result in any new construction. These existing facilities would conform to the new rule using existing structures and control mechanisms. Therefore, there is no impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>XV. TRANSPORTATION/TRAFFIC.</b> Would the project:				
a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause, either individually or cumulatively, exceedance of a level-of-service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

Transportation infrastructure within the BAAQMD ranges from single-lane roadways to multilane interstate highways. Transportation systems between major hubs, including railroads, airports, waterways, and highways, are located within and outside the BAAQMD. Localized modes of travel include personal vehicles, buses, bicycles, and walking. Transportation to and from the facilities subject to the proposed amendments varies by facility location.

## Discussion of Impacts

- a–g. No effects on transportation or traffic is anticipated because the operations affected by the proposed amendments are facilities located within industrial and commercial areas and because the amendments are not expected to result in any new construction. These existing facilities would conform to the new rule using existing structures and control mechanisms. Therefore, there is no impact.



		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>XVI. UTILITIES AND SERVICE SYSTEMS.</b>	Would the project:				
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

The BAAQMD covers all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties, and portions of southwestern Solano and southern Sonoma Counties. The land uses and affected environment vary substantially throughout the area. Rule 5 applies to the storage of organic liquids at stationary sources within the BAAQMD. Emissions controls on stationary tanks storing organic liquids significantly reduce organic emissions because of the large number of tanks in the Bay Area. There are over 5,200 permitted organic liquid tanks in the Bay Area: 4,700 fixed-roof, 360 external floating-roof, and 200 internal floating-roof tanks. Most affected stationary sources are located in areas zoned for industrial or commercial land use.

Typically, these facilities are surrounded by other commercial and industrial facilities. Because this is a rule revision and affected sources have been previously identified, BAAQMD has an inspection and tracking program that monitors compliance at the affected facilities.

## Discussion of Impacts

- a–g. No increases in demand for public utilities are expected as a result of the proposed amendments. Therefore, there is no impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE.</b>					
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Does the project have impacts that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion of Impacts

- a. Because of the lack of presence of these resources in the project area and the immediate vicinity, the proposed amendments do not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Therefore, there is no impact.
- b. The reduction of emissions of VOCs from storage of organic liquids is part of a long-term plan to bring the Bay Area into compliance with the NAAQS and SAAQS for ozone. The proposed amendments do not have adverse impacts that are limited individually, but cumulatively considerable when considered in conjunction with other regulatory control projects. Therefore, there is no impact.

- c. It is expected the proposed amendments will create a net positive environmental benefit by reducing emissions of VOCs. A potential impact is increased potential exposure of inspectors to some hazardous situations. Although the frequency of inspection may increase, however, the inspection process would use existing safety standards and would not be considered significant. There would be no significant operational impacts associated with hazards and public health. Therefore, there is no impact.

## Chapter 4

# References Cited

- Bay Area Air Quality Management District. 2000. *Bay Area 2000 clean air plan*. San Francisco, CA.
- . 2001a. *Revised 2001 San Francisco Bay Area ozone attainment plan for the 1-hour national ozone standard*. San Francisco, CA.
- . 2001b. BAAQMD background. Available at URL: <<http://www.baaqmd.gov/pie/backgrnd.htm>>. Last updated August 21, 2001.
- . 2002. *Staff report—proposed amendments to BAAQMD Regulation 8, Rule 5: storage of organic compounds*. San Francisco, CA.